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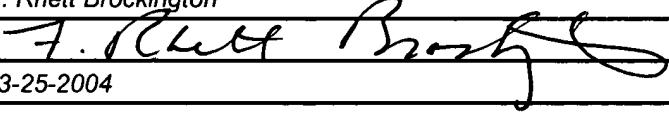
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/772,705	
	Filing Date	02-05-2004	
	First Named Inventor	RICHARD ET AL.	
	Art Unit	3637	
	Examiner Name	N/A	
Total Number of Pages in This Submission	6	Attorney Docket Number	3689

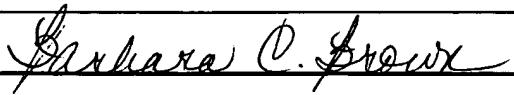
ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Make Special (3 pgs.) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <div style="border: 1px solid black; padding: 2px; display: inline-block;">Remarks</div>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
Return Receipt Postcard			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	DOUGHERTY, CLEMENTS & HOFER F. Rhett Brockington		
Signature			
Date	03-25-2004		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Barbara C. Brown		
Signature		Date	03-25-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL

MAR 29 2004 for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	10/772,705
Filing Date	02-05-2004
First Named Inventor	Thomas Roy RICHARD
Examiner Name	N/A
Art Unit	3637
Attorney Docket No.	3689

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number
04-1448
Deposit Account Name
Dougherty, Clements, & Hofer

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1)		(\$ 0.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	
			- 3** =	X	

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 420	2252 210	Extension for reply within second month			
1253 950	2253 475	Extension for reply within third month			
1254 1,480	2254 740	Extension for reply within fourth month			
1255 2,010	2255 1,005	Extension for reply within fifth month			
1401 330	2401 165	Notice of Appeal			
1402 330	2402 165	Filing a brief in support of an appeal			
1403 290	2403 145	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,330	2501 665	Utility issue fee (or reissue)			
1502 480	2502 240	Design issue fee			
1503 640	2503 320	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))			
1801 770	2801 385	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify) **Petition to Make Special - under 1.17(h)** 130.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	F. Rhett Brockington	Registration No. (Attorney/Agent)	29,618	Telephone	704-366-6642
Signature				Date	03-25-2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATIONS

Confirmation Number: N/A

MARCH 25, 2004

Art Unit: 3637

Applicant: RICHARD ET AL.

Serial No. 10/772,705

Filed: FEBRUARY 5, 2004

Examiner: N/A

Title: GUTTER CAP HAVING A UNIQUE INTERLOCKING BRACKET

PETITION TO MAKE SPECIAL

Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby petitions the Commissioner, through his attorney of record, that this application be made special and that the prosecution thereof be expedited as much as possible.

As a basis for the granting of the above petition, the following facts and circumstances are set forth.

STATEMENT UNDER 37 C.F.R. § 1.102 FOR PETITION TO MAKE SPECIAL

(A) The prospective manufacturer is Gutter Pro USA, a North Carolina company headquartered in Hickory, NC. Gutter Pro USA presently has sufficient available capital

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and facilities to convert aluminum sheeting to guttering in quantity. Gutter Pro USA has more than \$500,000 in capital. In their plant in Hickory, they have plastic extruding equipment for manufacturing a plastic bracket that was disclosed in patent application 10/253,195 (now allowed), and patent application 29/184,015 (now allowed). Gutter Pro USA are converters of aluminum sheeting and roll stock, and can manufacture aluminum guttering, caps, downspouts and miscellaneous components for the fabrication of gutters and gutter caps. Furthermore they have a network of distributors and sales personnel. It is projected that when patent applications 10/253,195 and 29/184,015 issue, that these two patents will significantly increase their business, and Gutter Pro USA is forecasting sales of \$4 million. In addition to these two patent applications, Gutter Pro USA has a US patent application, serial number 10/772705 filed on February 5, 2004, that is a unique interlocking aluminum bracket.

(B) Gutter Pro USA has been contacted by an aluminum a manufacturer that has the capability to manufacture the aluminum bracket. The aluminum manufacturer has a distribution company that is much larger than Gutter Pro USA's distribution network, and the aluminum manufacturer will sell Gutter Pro USA's gutters and brackets, when Gutter Pro USA obtains a patent on the unique interlocking aluminum bracket. Using the larger distribution network and the new bracket technology that compliments patent applications 10/253,195 and 29/184,015, the sales projections are from about \$8 to \$50 million. The at least doubling of sales is a function of not only higher volumes, but actual growth of the market, as the technologies disclosed in these afore mentioned patent applications lower the cost of installation. The cost of installation accounts well over half the cost of the installed product.

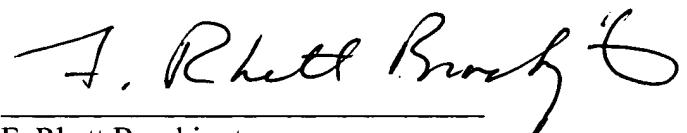
(C) The prospective manufacturer, Gutter Pro USA, has obligated itself to manufacture the invention, in the United States or its possessions, in quantity immediately upon the allowance of claims or issuance of a patent, which will protect the investment of capital and facilities.

(D) The applicant or assignee has made or caused to be made a careful and thorough search of the prior art, or has a good knowledge of the pertinent prior art.

Applicant has already provided one copy of each of the references deemed most closely related to the subject matter encompassed by the claims, and said references are were submitted with the application of record.

Pursuant to 37 C.F.R. 1.17(h) for a PETITION TO MAKE SPECIAL, a fee in the amount of \$130 is enclosed.

Respectfully submitted,



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Docket 3689